KEY THEME[1]
Article 9
Wearing of religious symbols in public areas

(Last updated: 28/02/2026)

General Principle

Wearing a religious symbol or item of clothing in public areas is an action protected by Article 9 § 1. An individual who has made religion a central tenet of his or her life must, in principle, be able to manifest that belief and to communicate it to others, *inter alia* by wearing religious symbols and items of clothing, all the more so because a healthy democratic society needs to tolerate and sustain pluralism and diversity in the religious sphere (*Eweida and Others v. the United Kingdom*, 2013, §§ 89 and 94). However, this right is not absolute and must be balanced with the legitimate interests of other natural and legal persons. The breadth of the margin of appreciation left to the respondent State depends on the context in which the religious symbol or item of clothing is being worn.

Principles that can be deduced from the current case-law

Wearing of religious symbols and items of clothing by private individuals:

- only very exceptional circumstances could (theoretically) justify an interference with wearing religious clothing in common public places such as streets, squares, parks, etc. (*Ahmet Arslan and Others v. Turkey*, 2010, §§ 47-51);
- however, the State may ban wearing of an item of clothing which conceals the face (*S.A.S. v. France* [GC], 2014, § 156; *Belcacemi and Oussar v. Belgium*, 2017, §§ 52-53; *Dakir v. Belgium*, 2017, §§ 55-59);
- a ban on wearing religious clothing by private individuals in a courtroom is not justified, provided that the clothing does not interfere with the normal conduct of proceedings and is not intended to show disrespect to the court (*Hamidović v. Bosnia and Herzegovina*, 2017, § 42; *Lachiri v. Belgium*, 2018, § 46);
- State authorities may legitimately request that a piece of religious clothing be removed in special circumstances for security reasons (airport security checks, identity photographs, etc.) (*Phull v. France* (dec.), 2005; *El-Morsli v. France* (dec.), 2008; *Mann Singh v. France* (dec.), 2008).

Wearing of religious symbols and items of clothing by State agents in their workplace or place of service, as well as by students in State schools:

- the State may require that civil servants and contractual employees of State authorities abstain from wearing conspicuous religious symbols and clothing in order to guarantee neutrality of public services and equal treatment of all clients (*Ebrahimian v. France*, 2015, §§ 63-69);

[1] Prepared by the Registry. It does not bind the Court.

- this applies in particular to teachers in public schools at all the levels (*Dahlab v. Switzerland* (dec.), 2001; *Kurtulmuş v. Turkey* (dec.), 2006);
- the State enjoys a wide margin of appreciation as to whether to allow the wearing of conspicuous items of religious clothing by students in State schools and universities (*Dogru v. France*, 2008, § 63; *Leyla Şahin v. Turkey* [GC], 2005, §§ 121-122);
- an absolute ban on any conspicuous convictional symbols worn by students in public schools, couched in non-discriminatory terms, is compatible with Article 9 (*Mikyas and Others v. Belgium* (dec.), 2024, §§ 67-77).

Wearing of religious symbols and items of clothing by employees in the private sector:

- a company may legitimately impose a dress code on its employees in order to protect a specific commercial image, even if implementing this code can sometimes lead to restrictions on the wearing of religious symbols (*Eweida and Others v. the United Kingdom*, 2013, § 94, violation of Article 9 in respect of an airline employee prohibited by her employer to wear a visible Christian cross at work; no separate examination under Article 14);
- a hospital (private or public) may likewise restrict the wearing religious symbols or clothing insofar as it is justified by considerations of health and hygiene (*ibid.*, §§ 98-100, no violation of Article 9 taken alone or in conjunction with Article 14 in respect of a geriatrics nurse in a State hospital also prohibited by her employer to wear a visible Christian cross while at work).

Further references

Case-law guides:

- Guide on Article 8 – Right to respect for private and family life, home and correspondence
- Guide on Article 14 of the Convention and Article 1 of Protocol No. 12 – Prohibition of discrimination

Other:

- Education and Religious Diversity (Council of Europe website)

KEY CASE-LAW REFERENCES

- *Dahlab v. Switzerland* (dec.), no. 42393/98, ECHR 2001-V (complaints under Articles 9 and 14 in conjunction with Article 9 inadmissible – manifestly ill-founded);
- *Phull v. France* (dec.), no. 35753/03, ECHR 2005-I (inadmissible – manifestly ill-founded);
- *Leyla Şahin v. Turkey* [GC], no. 44774/98, ECHR 2005-XI (no violation of Article 9);
- *Kurtulmuş v. Turkey* (dec.), no. 65500/01, ECHR 2006 II (inadmissible – manifestly ill-founded);
- *El-Morsli v. France* (dec.), no. 15585/06, 4 March 2008 (inadmissible – manifestly ill-founded);
- *Mann Singh v. France* (dec.), no. 24479/07, 13 November 2008 (inadmissible – manifestly ill-founded);
- *Dogru v. France*, no. 27058/05, 4 December 2008 (no violation of Article 9);
- *Ahmet Arslan and Others v. Turkey*, no. 41135/98, 23 February 2010 (violation of Article 9);
- *Eweida and Others v. the United Kingdom*, nos. 48420/10 and 3 others, ECHR 2013 (extracts) (violation of Article 9 in respect of the first applicant; no violation of Article 9 alone or in conjunction with Article 14 in respect of the second and fourth applicants, no violation of Article 14 in conjunction with Article 9 in respect of the third applicant);
- *S.A.S. v. France* [GC], no. 43835/11, ECHR 2014 (extracts) (no violation of Articles 8, 9 and 14 in conjunction with Articles 8 and 9);
- *Ebrahimian v. France*, no. 64846/11, ECHR 2015 (no violation of Article 9);
- *Belcacemi and Oussar v. Belgium*, no. 37798/13, 11 July 2017 (no violation of Articles 8, 9 and 14 in conjunction with Articles 8 and 9);
- *Dakir v. Belgium*, no. 4619/12, 11 July 2017 (no violation of Articles 8, 9 and 14 in conjunction with Articles 8 and 9);
- *Hamidović v. Bosnia and Herzegovina*, no. 57792/15, 5 December 2017 (violation of Article 9);
- *Lachiri v. Belgium*, no. 3413/09, 18 September 2018 (violation of Article 9);
- *Mikyas and Others v. Belgium* (dec.), no. 50681/20, 9 April 2024 (inadmissible – manifestly ill-founded).